



State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
North Central Region
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Rancho Cordova, CA 95670
(916) 358-2900
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
Charlton H. Bonham, Director



September 18, 2023

Robert Capriola
Westervelt Ecological Services, LLC
3636 American River Drive, Suite 120
Sacramento, CA 95864
rcapriola@westervelt.com

**SUBJECT: DRAFT PROSPECTUS EVALUATION FOR DODGELAND
CONSERVATION BANK (TRACKING NUMBER 1798-2023-03-R2)**

Dear Rob Capriola:

The California Department of Fish and Wildlife (Department) has completed the initial evaluation of your draft prospectus dated August 18, 2023, for the Dodgeland Conservation Bank (Bank) which proposes to create and preserve habitat for giant garter snake (*Thamnophis gigas*), a species listed as threatened under both the California Endangered Species Act and the federal Endangered Species Act. This evaluation is distinct from that of any other potential signatory agency.

The Department has identified issues, discussed below, that may prevent the Bank from being deemed acceptable.

This Bank is proposing to provide credits for giant garter snake to offset impacts to development projects. The draft prospectus did not include documentation that giant garter snakes are utilizing the Bank property. If you choose to submit a prospectus, please provide survey documentation of giant garter snake utilizing the Bank property as well as copies of all data reports submitted to the California Natural Diversity Database documenting the occurrence of giant garter snake within the Bank property.

The 2018 Llano Seco U.S. Geological Survey (USGS) quadrangle topographic map (see Attachment 1) identifies within the Bank property, a multiple thread stream system (stream system) including a named blue line stream called Little Butte Creek. The draft prospectus discusses installing lift pumps that would pump additional water into the Bank property's stream system and associated marsh habitat to enhance aquatic habitat for giant garter snake. An influx of water into a stream system outside of the wet season could disrupt the natural hydrological conditions of the stream system by changing the base flows as well as alter its biological conditions. Changes in the biological conditions could include changes in species composition of plants, wildlife, and/or fisheries (biota), biota's behaviors, distribution of hyporheic organisms or can cause added stressors to the biota. In addition, altered flows through the Bank property

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could affect the hydrological and biological conditions downstream of the Bank property. The prospectus will need to clearly articulate what changes, if any, the influx of additional water outside the normal wet season may have on the hydrological and biological conditions, including the biota's life cycle, both within the Bank property and downstream.

The draft prospectus' restoration concept figure (Figure 7) identifies establishing new water conveyance features; however, it appears these features were historically present as detailed in Attachment 1. If these features were removed, then the inclusion of these features would be considered re-establishment. As there has been a significant loss of riparian habitat throughout the Central Valley and riparian habitat is vital to numerous biotas, the Bank property may have value to provide riparian mitigation to offset impacts from development projects either as a bank or as permittee responsible mitigation.

If these issues identified above are left unresolved, this will likely result in the Department rejecting the proposal of the Bank. Additional issues may be identified during the formal bank review process.

If you choose to submit a prospectus, it must be accompanied by a new [Bank Submittal Form](https://nrmsecure.dfg.ca.gov/FileHandler.ashx?DocumentID=58780) (<https://nrmsecure.dfg.ca.gov/FileHandler.ashx?DocumentID=58780>) and the current prospectus review [fee](#)¹ [Fish and Game Code § 1798(b)(1)]. For more guidance on what to include in your prospectus please view the [prospectus checklist](https://www.spd.usace.army.mil/Portals/13/docs/regulatory/banking/Checklists%2020210604.pdf) at (<https://www.spd.usace.army.mil/Portals/13/docs/regulatory/banking/Checklists%2020210604.pdf>) and the Department's web site at <https://www.wildlife.ca.gov/Conservation/Planning/Banking>.

If you have questions regarding your draft prospectus or the bank review process, please contact Stephanie Buss, Senior Environmental Scientist (Specialist) at (916) 406-4311 or stephanie.buss@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Billie Wilson
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Billie Wilson
Acting Regional Manager

Attachment 1 – Llano Seco U.S. Geologic Survey quadrangle

¹ Fees may be adjusted annually pursuant to FGC 1799.1(a). The current fee schedule at the time of submittal is the fee required for review of the bank document.

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